

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<p><b>YUPANQUI PACHACUTEC,</b></p> <p style="text-align: right;">)</p> <p><b>Plaintiff,</b></p> <p style="text-align: right;">)</p> <p><b>v.</b></p> <p style="text-align: right;">)</p> <p><b>CITY OF FORSYTH, et al.,</b></p> <p style="text-align: right;">)</p> <p><b>Defendants.</b></p> <p style="text-align: right;">)</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>
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**ORDER**

Pro se plaintiff Yupanqui Pachacutece filed this 42 U.S.C. § 1983 action and simultaneously moved to proceed *in forma pauperis* (“IFP”). Docs. 1; 2. Along with granting Pachacutece IFP status, the Court was required to screen his complaint pursuant to 28 U.S.C. § 1915(e). After screening, the Court concluded that Pachacutece’s complaint was deficient and ordered him to file a recast complaint no later than Monday, January 13, 2025. Doc. 3. Despite being warned that failure to fully and timely comply with this order may result in the dismissal of this action, Pachacutece did not respond. *Id.*; see *Brown v. Tallahassee Police Dep’t*, 205 F. App’x 802, 802 (11th Cir. 2006) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).<sup>1</sup> On February 3, 2025, Pachacutece was ordered to show cause no later than February 17, 2025, why this case should not be dismissed for failure to comply. Doc. 7. Pachacutece was again warned that failure to fully and timely comply

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<sup>1</sup> The Eleventh Circuit has adopted as binding precedent the decisions of the former Fifth Circuit rendered prior to October 1, 1981. *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc).

with this order may result in the dismissal of this action. *Id.* He did not respond. Accordingly, this action is hereby **DISMISSED** without prejudice.

**SO ORDERED**, this 21st day of February, 2025.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT